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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/023,234	12/18/2001	Robert W. Stadler	P-9888.00	3742
27581 75	90 01/26/2005		EXAMINER	
MEDTRONIC, INC.			MANUEL, GEORGE C	
710 MEDTRON	NIC PARKWAY NE			<u>.</u>
MS-LC340			ART UNIT	PAPER NUMBER
MINNEAPOLI	S, MN 55432-5604		3762	
			DATE MAILED: 01/26/200	•

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner								
Examiner	•	Applicati n No.	Applicant(s)					
Coorge Manuel 3762	Office Action Comments	10/023,234	STADLER ET AL.					
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions for the major be writing the work of 30°CFR 1.13(e), in ne event, however, may a reply be timely filed the state of the provided base with the strong of 30°CFR 1.13(e), in ne event, however, may a reply be timely filed to the prior of the prior of the reply a specified above, the maximum of 30°CFR 1.13(e), in ne event, however, may a reply be timely filed the prior of the reply a specified above, the maximum of 30°CFR 1.13(e), in ne event, however, may a reply be timely filed the specified of the prior of t	Office Action Summary	Examiner	Art Unit					
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THE MAILLING DATE OF THIS COMMUNICATION. Editations of time may be available under the proxision of 30°CR1.136(). In ne event, however, may a reply be timely filed other SX (§) MONTHS from the mailing date of this communication. **SX (§) MONTHS from the mailing date of this communication of the communication of the proximal control of the		pears on the cover sheet wit	h the correspondence address					
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12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)								
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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-55 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Larnard et al '772.

Larnard et al discloses a processor 19 having a normal processing mode (see 101 for normal sinus rhythm data) for benign heart rhythm comprising a normal sinus rhythm and a guarded processing mode responsive to a non-benign heart rhythm comprising classifying cardiac events as bradycardia or tachycardia. Event/Peak detection 103, interval and morphology calculations 104 provide means for switching from the normal processing mode to a guarded processing mode and event and rhythm classifications 105 and 106 provide discriminatory arrhythmia classification algorithms.

Regarding claims 5, 7, 13, 17, 20, 26, 45 and 52, the evidence of atrial flutter is provided by the detection circuitry of the atrial data path 170 of the algorithm which performs an event and peak detection determination at 171 and then loads the time of the atrial P-wave peak into an atrial buffer at 172.

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Regarding claims 37-41 sensing electrodes 11 provides first and second sensors. Pacing therapy is delivered from the action module 20 to the atrial and ventricular sensing and pacing leads 11 and 12 by means of a bus 21.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Manuel whose telephone number is (703) 308-2118.

George Manuel Primary Examiner Art Unit: 3762

1/24/05